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9 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. **2013-34**  
**A C C U S A T I O N**

12 **PAULA ANNE KEATING**  
13 **21171 Shaw Lane**  
14 **Huntington Beach, CA 92646**

15 **Registered Nurse License No. 294192**

16 Respondent.

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18 Complainant alleges:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her  
21 official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department  
22 of Consumer Affairs.

23 2. On or about August 31, 1978, the Board of Registered Nursing issued Registered  
24 Nurse License Number 294192 to Paula Anne Keating (Respondent). The Registered Nurse  
25 License was in full force and effect at all times relevant to the charges brought herein and will  
26 expire on August 31, 2012, unless renewed.

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4. Section 2750 of the Code provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

## STATUTORY PROVISIONS

The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

• • • •

In addition to other acts constituting unprofessional conduct within the meaning of this chapter [the Nursing Practice Act], it is unprofessional conduct for a person licensed under this chapter to do any of the following:

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**COSTS**

8. Section 125.3 of the Code provides, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

**FACTS**

9. Respondent was issued a license as a Registered Nurse in October of 1978. She started working at Hoag Hospital in 1987.

10. On June 7, 2011, Respondent was working at Hoag Hospital in Newport Beach, California. On that day, Respondent reported to work to teach a childbirth class, when a fellow employee noted that Respondent was behaving as though she was under the influence of alcohol. She was slurring, incoherent, and could not count class packets. A replacement instructor was called.

11. Respondent's Manager at Hoag, GS, came to the class and sat in the back and observed Respondent teach the class, until she was replaced by the replacement instructor. Respondent was escorted to the Chemical Dependency Unit and submitted to a urine test 2.5 hours after the class.

12. On June 9, 2011, Respondent unexpectedly resigned from work and retired from nursing.

13. On June 17, 2011, the urine screen came back positive for alcohol. Respondent's test result was .18g/dl, well above the screening cut off for alcohol which is .02g/dl. Given this test result, Respondent was under the influence of alcohol while at work.

14. On June 22, 2011, GS reported this conduct to the Board. She also reported that on December 8, 2009, and September 27, 2010, Respondent had been counseled for suspected alcohol abuse while working.

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**FIRST CAUSE FOR DISCIPLINE**

**(Unprofessional Conduct – Reporting to Work While Intoxicated)**

15. Respondent has subjected her registered nurse license to disciplinary action under section 2750 and 2761 in that on or about June 7, 2011, Respondent reported to work as a Registered Nurse while intoxicated. The facts supporting this cause for discipline are included in paragraphs 9 to 14 which are incorporated herein by reference.

**SECOND CAUSE FOR DISCIPLINE**

**(Unprofessional Conduct - Use of Alcohol in a Dangerous Manner)**

16. Respondent has subjected her registered nurse license to disciplinary action under sections 2750 and 2762, subdivision (b) of the Code, in that on or about June 7, 2011, Respondent used alcoholic beverages to an extent or in a manner that was dangerous or injurious to herself and to others in that she reported to work as a Registered Nurse while intoxicated. The facts supporting this cause for discipline are included in paragraphs 9 to 14 which are incorporated herein by reference.

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1 PRAYER

2 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
3 and that following the hearing, the Board of Registered Nursing issue a decision:

4 1. Revoking or suspending Registered Nurse License Number 294192, issued to Paula  
5 Anne Keating;

6 2. Ordering Paula Anne Keating to pay the Board of Registered Nursing the reasonable  
7 costs of the investigation and enforcement of this case, pursuant to Business and Professions  
8 Code section 125.3;

9 3. Taking such other and further action as deemed necessary and proper.

10 DATED: July 12, 2012

11 *for* LOUISE R. BAILEY, M.ED., RN  
12 Interim Executive Officer  
13 Board of Registered Nursing  
14 Department of Consumer Affairs  
15 State of California  
16 Complainant

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